

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
MISSOULA DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

LINDE LAMBSON,

Defendant.

CR 22–22–M–DWM

ORDER

On April 22, 2022, the Court ordered that Defendant Linde Lambson be committed to the custody of the Attorney General for a mental evaluation pursuant to 18 U.S.C. § 4241. (Doc. 9.) On September 20, 2022, the Court received the report of the defendant’s mental examination conducted at the Federal Detention Center at Seattle, Washington. (Doc. 12.) The forensic psychologist who conducted the examination concluded that the defendant demonstrates an insufficient ability to understand the nature and consequences of the court proceedings against him and a poor ability to assist counsel in his defense. (*Id.*) Formal competency restoration procedures are recommended. (*Id.*)

A competency hearing was held in this matter on September 27, 2022. The United States was represented by Assistant United States Attorney Timothy Racicot. The defendant was represented by John Rhodes.

At that hearing, counsel stipulated to the findings and recommendation in the forensic report. During the hearing, the defendant indicated that he is competent while at the same time constantly fidgeting and speaking to himself, including reciting the alphabet. A sealed transcript of the hearing is filed in the docket. Based on counsel's stipulation, the contents of Dr. Low's report, and the defendant's courtroom behavior, a preponderance of evidence supports the conclusion that the defendant is presently suffering from a mental disease or defect rendering him mentally incompetent, such that he cannot understand the nature and consequences of the proceedings against him or properly assist in his defense. Accordingly,

IT IS ORDERED that Linde Lambson is committed to the custody of the Attorney General for hospitalization and treatment at a suitable facility to determine if there is a substantial probability that in the foreseeable future he will attain the capacity to permit this case to go forward. 18 U.S.C. § 4241(d). The defendant is hereby committed for this purpose for a reasonable time period, not to exceed four months. The United States Marshal shall transport the defendant to the designated facility within ten (10) days of designation. The Attorney General

or his representative at the facility to which the defendant is committed shall promptly notify the Court of the determination made regarding the probability that the defendant will regain capacity to proceed in the foreseeable future.

IT IS FURTHER ORDERED that once a facility is designated, the Clerk of Court is directed to provide the facility with a copy of this order and the sealed transcript.

DATED this 27th day of September, 2022.



Donald W. Molloy, District Judge
United States District Court